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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,157	07/06/2000	Steven D. Ims	RSW9-2000-0034-US1	5464

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EXAMINER

DONAGHUE, LARRY D

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/611,157

Applicant(s)

IMS ET AL.

Examiner

Larry D. Donaghue

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-16, 23-32 and 39-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-9, 12, 23-25, 28, 39-41 and 44 is/are rejected.
- 7) ☒ Claim(s) 10, 13, 15, 26, 29, 31, 42, 45 and 47 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2154

1. Claims 7-16, 23-32 and 39-48 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7-9,12,23-25,28,39-41 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner et al. (6,721,740) and Eastwick et al. (6,240,417).

Regarding claim 23, Skinner teaches the claimed invention substantially as claimed by disclosing a system comprising: Means for storing one or more objects in a cache for responding to update requests against the objects (col. 13 lines 51-58 object cache at client tier), wherein (1) a set of input properties is stored with or associated with each stored object (col. 16 lines 28-33 showing serialized/cached object include the object state which in turn includes the input properties) and (2) update logic specifying how to update each of the stored objects is stored with or associated with the stored object or a group of stored objects (col. 16 lines 5-20 client-side update management); Means for receiving update requests against one or more of the objects (col. 13 line 59 to col. 14 line 7); Means for determining an update mode to use for a selected update request, responsive to the means for receiving (col. 17 lines 36-41); Means for immediately processing the selected update request if the determined update mode is not a delayed update mode (discussion of updates prior to col. 17 lines 36-41 shows that they are propagated immediately if the client is connected); Means for delaying processing of the selected update request otherwise(col. 17 lines 36-41).

Skinner et al. does not expressly teach backend source corresponding to each object and checking each update policy to determine an update mode, this is taught by Eastwick et al. (abstract) it would be obvious to combine these reference to allow for the teaching of Skinner et al. to be applied to updating legacy applications.

Regarding claim 24, Skinner teaches a system wherein the means for delaying processing further comprises: Means for queuing the selected update request, along with the input properties and values thereof which are to be used for performing the selected update request, as a queued update request on an update queue (col. 17 lines 36-41; col. 16 lines 28-33); Means for detecting a triggering event for performing the delayed processing of the queued update requests (col. 17 lines 36-41; col. 16 lines 28-33); Means for performing, responsive to the means for detecting, the queued update request (col. 17 lines 36-41; col. 16 lines 28-33).

Regarding claim 25, Skinner teaches a system wherein the means for performing further comprises means for setting the input properties of a selected object against which the queued update request is to be performed using the queued input property values (col. 17 lines 36-41; col. 16 lines 28-33) and means for executing the update logic stored with or associated with the selected object (col. 16 lines 5-20).

Regarding claim 28, Skinner teaches a system wherein the update policy comprises information about an

Art Unit: 2154

associated object which is used for responding to read requests (col. 15 lines 10-27).

Regarding claims 7-9 and 12, they are media claims corresponding to apparatus claims 23-25 and 28, respectively. Since they do not teach or define above the information in the corresponding apparatus claims, they are rejected under the same basis.

Regarding claims 39-41 and 44, they are method claims corresponding to apparatus claims 23-25 and 28, respectively. Since they do not teach or define above the information in the corresponding apparatus claims, they are rejected under the same basis.

4. Claims 11, 14, 27, 30, 43, and 46 rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman et al. (5,896,444) as applied to claims 7-9, 12, 23-25, 28, 39-41 and 44 above, and further in view of Skinner et al. (6,721,740) and Eastwick et al. (6,240,417).

Regarding claim 27 and 30, Skinner teaches the invention substantially as claimed. See the rejection of claim 23 above. Skinner and Eastwick et al. does not teach the additional limitation of claim 27. Although Skinner teaches that a client may be intermittently connected from the server, Skinner does not provide any explanation as to why. Perlman on the other hand teaches a system in which a client intermittently connects to the network during off peak times in order to reduce telephone charges (col. 8 lines 12-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Skinner's client to intermittently connect to the server using Perlman's time of day based system because of Perlman's teaching that it is cheaper.

Regarding claims 11 and 14, they are media claims corresponding to apparatus claims 27 and 30, respectively. Since they do not teach or define above the information in the corresponding apparatus claims, they are rejected under the same basis.

Regarding claims 43 and 46, they are method claims corresponding to apparatus claims 27 and 30, respectively. Since they do not teach or define above the information in the corresponding apparatus claims, they are rejected under the same basis.

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hunkins et al. 6,141,663

Hunkins et al. 5,970,501

lms et al. 6,505,200

lms et al. 6,665,867

Art Unit: 2154

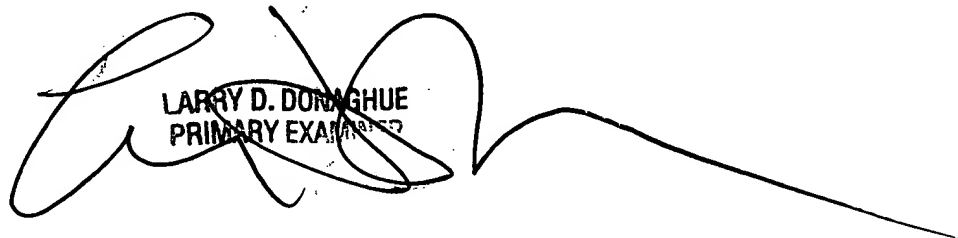
Ziglin 2003/0033317

Pearson 6,023,684

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D. Donaghue whose telephone number is 571-272-3962. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LARRY D. DONAGHUE
PRIMARY EXAMINER